

LEGISLATIVE ASSEMBLY OF ALBERTA

Title: **Wednesday, June 14, 1989 2:30 p.m.**
 Date: 89/06/14

[The House met at 2:30 p.m.]

[Mr. Speaker in the Chair]

PRAYERS

MR. SPEAKER: Let us pray.

O Lord, we give thanks as legislators for the rich diversity of our history.

We welcome the many challenges of the present.

We dedicate ourselves to both the present and the future as we join in the service of Alberta and Canada.

Amen.

head: TABLING RETURNS AND REPORTS

MR. WEISS: Mr. Speaker, it is my pleasure to table with the Assembly four copies of the Provincial Senior Citizens' Advisory Council report for the year 1988. Copies have been made available for all hon. members.

MR. MAIN: Mr. Speaker, I have with me today four copies of the annual report of the Alberta Art Foundation, '87-88, and the annual report of the Alberta Library Board, '87-88. I'd like to table them.

MR. CLEGG: Mr. Speaker, it gives me pleasure to table the phase 1 report of the Municipal Statutes Review Committee on municipal government in Alberta.

head: INTRODUCTION OF SPECIAL GUESTS

MR. GESELL: Mr. Speaker, it's my pleasure to introduce to you and through you to the members of this Assembly two grade 6 classes from the Win Ferguson school. There are 22 students in each class. They are accompanied by their teachers Debbie Orchard and Laurie Christianson and parents Linda Maa and Elaine Bennett, as well as Hazel Ross. I would ask that the students, who are seated in the members' gallery, the teachers, and parents rise and receive the traditional warm welcome of the hon. members of the Assembly.

MR. GIBEAULT: Mr. Speaker, I'm pleased to introduce to you and to the members of the Assembly this afternoon some 28 students from John Paul I school in the constituency of Edmonton-Mill Woods. They're in the public gallery this afternoon with their teacher Mrs. Ollie Waschuk and their teacher aid Mrs. Marilyn Orchard. I'd ask them now to stand and receive the very warm welcome of the House.

MR. LUND: Mr. Speaker, it gives me a great deal of pleasure to introduce to you and to the members of this Assembly today a group of 44 grade 8 scholars from the David Thompson high school, accompanied by their teacher Mr. Bill Foster and one of the parents Mrs. Margaret Davis. They're seated in the public

and members' galleries. I would ask them to now rise and let the Assembly give them the traditional warm welcome.

MR. THURBER: Mr. Speaker, I would like to introduce to you and through you to the members of this Assembly a group of students from Calmar school. There are 42 of them. They're seated in the public gallery, and they're accompanied today by their teachers Jeanette Wilson and Lenora Papadopoulos. I would ask that they rise and receive the traditional welcome of this House.

MR. CLEGG: Mr. Speaker, it gives me pleasure to introduce to you and through you members of the Municipal Statutes Review Committee. They are seated in your gallery. They are Bob Matheson from Edmonton; Ross Alger from Calgary; Eric Musgreave, whom many of you know is a former MLA from Calgary-McKnight; Frank Lambright, advisory council member from the wonderful constituency of Dunvegan; councillor Dick Papworth from the county of Lethbridge; and the secretariat co-ordinator, Tom Forgrave. I ask them all to rise and receive the warm welcome of this Assembly.

MR. SPEAKER: The Member for Edmonton-Highlands.

head: ORAL QUESTION PERIOD**Department of Health Act**

MS BARRETT: Thank you, Mr. Speaker. With this government's record of private labs, private nursing homes, and private hospital management, Albertans have come to not trust the government to keep health care in the public domain, where it belongs. Even the Premier's comments yesterday reveal that further privatization of the health care system remains an option on the government's agenda, and Bill 5 sets the stage for the exercising of that option. I'd like to ask the Premier if he'll explain why in the two previous Acts the government could only transfer hospitals to hospital boards, while in Bill 5 the government can transfer hospitals and other health care facilities "to any person or [any] organization." Could he explain that, Mr. Speaker?

MR. GETTY: Mr. Speaker, as I said yesterday to the hon. members and to the House, a piece of legislation that's been introduced into the House goes through the process of first, second, and third readings and committee study. As the Minister of Health said yesterday, she is looking forward to going through the legislation with the House, and I think that's the proper way to do it.

MS BARRETT: In other words, the Premier can't explain . . .

MR. SPEAKER: Supplementary on the broad issue.

MS BARRETT: Yes, a supplementary, Mr. Speaker. The Bill is not on notice for debate today, so I would ask the Premier the supplementary question. If the Premier adopts the minister's line on this Bill, that it's really only to transfer three specific facilities to local boards, then will the Premier explain why the Bill doesn't specify those three specific facilities instead of allowing the wide-open clause of selling or transferring "to any person or organization"?

MR. GETTY: It's remarkable, Mr. Speaker. Now the hon. member wants to propose an amendment to the Bill. There will be a process where the member has that very right and can stand in her place. [interjections] I just find it strange; the hon. members ask a question and then don't have the courtesy to sit and hear the answer.

MR. McEACHERN: That's not an answer.

MR. SIGURDSON: We'd like the answer.

MR. GETTY: It's too bad they don't understand the rules of the House. The Bill has been presented. They can amend it if they like, and the House will decide.

MS BARRETT: Mr. Speaker, I'll tell you what the people of Alberta understand. They understand your agenda to privatize health care in Alberta.

MR. SPEAKER: Order please. Order. We will have the supplementary question, and also there will be no further interjections about whether or not it's an answer, according to *Beauchesne*.

Supplementary, Edmonton-Highlands.

MS BARRETT: Okay; we're used to it, Mr. Speaker.

Mr. Speaker, will the Premier now agree to stop giving this wide-ranging, unusual, and unprecedented power to one single minister to sell, lease, or otherwise dispose of health care facilities in Alberta and commit himself to withdrawing the Bill and rewriting it?

MR. GETTY: I'm sure, Mr. Speaker, the hon. member is not listening to the answer, because the hon. member can make the proposal to the House when the Bill is before the House, and we shall let the Legislature decide. That's the way our democratic process works.

MR. SPEAKER: Second main question, Edmonton-Highlands.

MS BARRETT: Mr. Speaker, I'd like to designate that second question to the Member for Edmonton-Jasper Place.

MR. SPEAKER: Edmonton-Jasper Place.

Environmental Impact Assessment Process

MR. McINNIS: Thank you, Mr. Speaker. Since April of this year the New Democrats have been arguing that federal intervention is the result of the refusal of this government to pull up its socks on the way it does its environmental impact assessments. After eight weeks of stonewalling, the minister comes back from Ottawa and what does he announce? Federal review of natural resource projects. The Environment ministry is in federal receivership in this province, Mr. Speaker. I want the minister to share his insight. What type of federal intervention are we facing in our province?

MR. KLEIN: Mr. Speaker, I don't think we're facing any kind of federal intervention. I think what we're looking at is perhaps some kind of federal co-operation, federal participation: all nice words, all friendly words. We welcome that kind of participa-

tion. We welcome that kind of co-operation, and we welcome the federal government dealing with those issues that are clearly under federal jurisdiction. Under no circumstances do we welcome federal jurisdiction into areas that are clearly provincial jurisdiction.

MR. McINNIS: Mr. Speaker, it seems to be that the minister has not explained what it is that he found out when he was in Ottawa. Will he please explain what type of a federal intervention or inquiry, or whatever word he likes to use, we are facing as a result of the announcement that he made yesterday and again today?

MR. KLEIN: Mr. Speaker, what was decided in Ottawa was simply a decision by the federal government, to be communicated to the province soon, as to how they would hope to participate in the provincial environmental impact assessment process.

MR. McINNIS: Did the minister learn in Ottawa whether the federal government will do a study looking at the combined impact of all seven projects, which is a clear and specific deficiency in the Alberta process?

MR. KLEIN: The federal government, Mr. Speaker, made absolutely no reference to the process now being used by the provincial government. Their concern is exclusively related to those areas of jurisdiction in which the federal government thinks they have some responsibility.

Cost-effectiveness of Government Programs

MR. DECORE: Mr. Speaker, in the Budget Address one of the principles that the government indicated it was about to pursue was cost-effectiveness in government programs, albeit that the statement was wishy-washy. It's shocking to note that the Provincial Treasurer, the Deputy Premier, and the forestry minister have collectively overspent their ministerial office budgets by nearly three-quarters of a million dollars in the last nine years, surely an indication that such efficiency requires auditing. My question to the Premier is this: is the Premier aware that auditors general in Canada who use the operational efficiency audit system have proven that up to 10 percent can be saved by such audits on government operational costs?

MR. GETTY: Mr. Speaker, the government on a regular basis is consistently measuring the programs which it provides the people of Alberta, to make sure they are cost-effective. I should point out to the hon. member that this government has the best record in Canada; over the last four years it averaged year-over-year increase in program spending of 1.3 percent. There is no government in Canada that has come close to that. I also point out that the government will continue to provide the best programs possible to the people of Alberta and maintain the lowest taxes in Canada.

MR. DECORE: Mr. Speaker, perhaps the hon. Premier didn't understand the question. The question is: is he aware that by using a plan, a known plan, a workable plan, that's been developed by auditors general in Canada, you can save up to 10 percent in operational costs? Is he aware of that plan and that ability to save money?

MR. GETTY: Mr. Speaker, the hon. member may have some gimmick that he would like to follow through on. What we're going to do is the best job for the people of Alberta.

MR. DECORE: Mr. Speaker, inasmuch as the Premier doesn't know about how to save money, is he prepared to indicate to his Assembly what he'll do to keep the costs of the ministries that I talked about and other ministries under control?

MR. GETTY: Isn't it interesting, Mr. Speaker? The member once again, when his base is weak, wants to try and raise his voice to give some credibility to his position. I would say that the government has proven over the years -- and as I've pointed out, over the last four years an increase in program spending, while inflation was far in excess of this, on average of 1.3 per cent. Also, you'd think the hon. member would know that it's managers who control spending, not auditors. You'd think the hon. member would have that kind of knowledge about how governments and business work.

Funding for Postsecondary Institutions

MR. JONSON: Mr. Speaker, I wish to direct my question to the Minister of Advanced Education. As all members are aware, the allocations for postsecondary education in terms of funding have been announced, and it's apparent that the University of Alberta, at least the president of the institution, has concluded that this funding is inadequate. Some time ago the government received the recommendations of the Dupré report, which was intended to address the matter of alleged unfairness or inequity in the funding of postsecondary institutions across the province. My question to the minister have the recommendations of this report in fact been implemented?

MR. GOGO: Mr. Speaker, members may recall a year or two ago that the then Minister of Advanced Education was asked if he could work out some system of equity and fairness within the Alberta system, and a method of doing that that was acceptable to this government was to bring in someone from outside and analyze that. This was all done at the request of the University of Calgary. Dr. Dupré made a variety of recommendations, and all the recommendations that required funding were carried out in the past 12 months. So that has been done.

MR. JONSON: Well, a supplementary, then, Mr. Speaker. More specifically, given that there appears to be a specific concern regarding the inadequacy of funding for modernizing equipment, renovations, and so forth -- in fact, funding may be significantly less than it was three or four years ago -- can the minister advise the House as to what the policy is with respect to the funding of the replacement of equipment and the providing of funding for renovations?

MR. GOGO: Well, yes, Mr. Speaker. Perhaps this arises from comments made by the president of the U of A yesterday. Alberta is the only province in Canada that has a program in place called a formula funding grant process that provides substantial funds for replacing equipment, furniture, and renovations. The province has been, I think, very generous in the past several years with those funds. This year the government has given a 5 percent increase, which to some people was not satisfactory, but we would hope and recognize that the institutions would do their

best with those funds. This minister recognizes that equipment becomes obsolescent and must be replaced, and we would hope that in spite of the generous 5 percent increase to find ways in the future of increasing that.

MR. JONSON: A final supplementary then, Mr. Speaker. I think the bottom line for everyone is the need for the assurance that qualified students will continue to have access to programs or to transfer programs to the University of Alberta. Can the minister assure the House that this access of our qualified postsecondary students will continue without the imposition of tight quotas?

MR. GOGO: Well, Mr. Speaker, one has to recognize that under the Universities Act, the universities are autonomous with regard to student enrollments.

I would point out that the budget speech indicates that Alberta ranks first in all of Canada with postsecondary funding. We have in place, on the question of access, a very exciting university transfer program whereby in our colleges many of them provide the first and second year. I can assure hon. members of the House that as far as this government is concerned, for any Albertan who has the ability and the desire to pursue postsecondary education, there are spaces available in universities in this province. The only caveat I would put, Mr. Speaker, is that it may not always be at the university of one's choice.

Department of Health Act (continued)

REV. ROBERTS: Mr. Speaker, we New Democrats are committed to stopping this private hospital Act, just as we stopped the government's private health care insurance Act two years ago, before it goes to second reading. Though Marvin Moore isn't here today, it is clear that in Bill 5 the government is trying to give itself the power to transfer government health facilities to whomever it pleases. Now, the members of the government front bench like to often argue by saying, "If it isn't broken, why fix it?" So I'd like the Premier to explain today to the House what was so broken about the previous system that the government is now introducing sweeping changes in the way that it can sell off health care facilities.

MR. GETTY: Mr. Speaker, I don't know if the researchers of the NDP ended up bumping into each other and gave both members the same question or not. I would ask the hon. member to consult with his House leader so that they get their questions straight. If the hon. member has a concern about the Bill, raise it as the Bill progresses through the House. [interjections]

MR. SPEAKER: Supplementary question, if there's order enough for Edmonton-Centre to proceed.

REV. ROBERTS: Thank you, Mr. Speaker. Our researchers did dig out what happened two years ago when you withdrew Bill 14.

So could the Premier's research department please get to work and provide an example of even one other Canadian province that has the gall to give itself such sweeping powers to sell off its health care facilities "to any person or organization," either here or in the United States, for example.

MR. GETTY: Again, Mr. Speaker, I gather the hon. member is referring to a Bill before the House. I make him the offer to raise his concerns as the Bill proceeds in the Legislature.

REV. ROBERTS: Mr. Speaker, it is urgent public business that this be dealt with before it goes any further. The problem is: will the Premier admit that it's his government's lack of a record that can be trusted, which gives Albertans concern about whether it can be trusted with Bill 5 and its provisions, and do the honourable thing and instead withdraw it today before it goes to second reading?

MR. GETTY: Mr. Speaker, the judgment about who the people of Alberta trusted has been made in the last election. I might say that if the hon. member has some concerns about a piece of legislation before the House, like any other piece of legislation, he has a responsibility as that piece of legislation progresses to raise his concerns, to see if he has the ability to carry the House, to carry the opinions of the members. [interjections]

MR. SPEAKER: Order please, hon. Premier. There is not much point going on if the Chair can't even hear what's happening here. So if the other members are finished for a moment, perhaps the Premier could continue. Thank you.

The Chair then recognizes Westlock-Sturgeon, followed by Lesser Slave Lake.

Impact of Free Trade on Agriculture

MR. TAYLOR: Thank you, Mr. Speaker. My question is also to the beleaguered Premier, but business is business, and we can't feel sorry, I guess. As we all know, the Member for Stettler has made much of his newfound love for farmers, maybe even more so than his love for the Mulroney trade agreement or for golf, for that matter. The House will recall the Premier's statement last year, his promise to set up a committee to help educate and train farmers to take advantage of the supposed new huge markets in the U.S. In view of this promise, how does the Premier reconcile a cut of 35 percent in agricultural research and a cut of 14 percent in product development for agricultural products with the fact that he was going to set up a committee to help them invade the U.S. markets?

MR. GETTY: Mr. Speaker, the hon. Minister of Agriculture had his estimates before the House last night. The member had every opportunity to discuss the matter then.

MR. SPEAKER: Supplementary, Westlock-Sturgeon.

MR. TAYLOR: Thank you, Mr. Speaker. Last night it was hear no evil, speak no evil, speak no sense.

Mr. Speaker, then what funds have been allocated -- this was certainly not in the budget -- to the much-promised transition committee to maintain some farmers' incomes until they adjust to the supposed new markets in the U.S.?

MR. GETTY: Again, Mr. Speaker, the hon. member is asking details of the budget that were dealt with last night. The Minister of Agriculture may want to add to my comments, but the hon. member has every opportunity when estimates are up to raise those kinds of detailed questions.

MR. TAYLOR: Mr. Speaker, he has selective amnesia, but let's go further. Forget funds. Has the Premier picked a chairman for the transition committee yet, or do all his neighbours have jobs?

MR. GETTY: I must say, Mr. Speaker, the hon. member once again has reduced his level in the House to that kind of comment, and I don't think it deserves the dignity of an answer.

MR. SPEAKER: The Member for Lesser Slave Lake, followed by Calgary-Mountain View.

NORAD Test Flights

MS CALAHASEN: Thank you, Mr. Speaker. Today the Department of National Defence announced the approval of low-level flight training routes in northern Alberta, one of two proposed. Could the Minister of Federal and Intergovernmental Affairs advise this Assembly whether he or his department were consulted?

MR. HORSMAN: Mr. Speaker, there has been extensive consultation between the government of Canada and the governments of Alberta and Saskatchewan and other governments affected by the decision today to announce these low-level tests, which will be carried out by North American Air Defence command, otherwise known as NORAD. The route which has been approved which impacts upon Alberta was clearly outlined to our government and to the public some time ago. There has been extensive consultation on that matter, and the decision announced today by the Minister of National Defence is in keeping with that process of consultation, both with our government and with respect to environmental issues and the study that was carried out by an independent consultant, which was made public late in 1987.

MR. SPEAKER: Supplementary.

MS CALAHASEN: Yes. Do we agree with these flight plans that are being proposed?

MR. HORSMAN: Mr. Speaker, we have in the process of the consultation with the Department of National Defence, which as I indicated has been extensive and thorough, indicated our support for the program proposed by the government of Canada, the Department of National Defence, in keeping with our commitments for the defence of North America under NORAD. Yes is the short answer, but I think it does require that elaboration. Our government has felt that the federal government Department of National Defence consultative process has been thorough and appropriate under the circumstances, and we believe that this is an appropriate method of dealing with this matter of crucial interest to the future defence of our country.

MS CALAHASEN: Do we have any assurances for the safety of northern Albertans and for their property?

SOME HON. MEMBERS: No.

MR. TAYLOR: This is a guy who'd buy Long Island for nothing.

MR. HORSMAN: Mr. Speaker, the opposition, particularly the Member for Westlock-Sturgeon, interjects some unintelligible comments, but the fact of the matter is that we have, as has best been described in an extensive amount of consultation -- efforts have been made to make sure that the best possible safety can be obtained, and the elimination of flights over populated areas will be designed in order to take into consideration the concerns of people, both with respect to the protection of the citizens of our province and their property. Mr. Speaker, the fact of the matter is that this nation needs to be defended whether the Liberal Party or the ND Party want it or not.

MR. SPEAKER: Thank you.

The Member for Calgary-Mountain View.

Funding of World Blitz Chess Championship

MR. HAWKESWORTH: Thank you, Mr. Speaker. In early December of 1988 *NBC Nightly News* ran a nationally aired documentary exposing the involvement of a Mr. Jon Emr in an apparent confidence scheme to market a TV series on American POWs in Vietnam. We also know that that same Mr. Emr was a key player in a now-defunct chess tournament planned for Calgary that received \$100,000 from the Alberta Department of Tourism. Would the Minister of Tourism tell us today: given that this NBC documentary ran in early December of 1988 and the second advance of provincial funds was released in February of 1989, two months later, does it concern the minister that his officials did not stop that payment or advise him that Jon Emr was the subject of this NBC exposé?

MR. SPEAKER: Two questions in one. Reply to the first

MR. SPARROW: Mr. Speaker, I think there are a few facts that should be on the record. Early in May of 1988 a proposal was sent to the city of Calgary and to this government, and on July 19 of '88 city council agreed to become a sponsor. The proponents of the World Blitz tournament then came to us and sought provincial support and were going to also seek federal support. We met with them in late August and in September gave them an indication that we would be participating in principle. An agreement then was signed by the department after much discussion with them, I believe on October 12. The article you mentioned did cast aspersions on people that are not in this House and a U.S. citizen, and that did complicate their firm from receiving the necessary funding package that they were to come up with. It's unfortunate, Mr. Speaker, that at times within the House or by press articles like the Member for Calgary-Mountain View is talking about, it does cast aspersions on people that do cause projects some harm.

MR. HAWKESWORTH: Well, Mr. Speaker, the question is whether the public can trust this minister and the department to exercise due care and diligence.

MR. SPEAKER: Order please, hon. member. We're talking about trust and those kinds of words again. We're taking them in the general sense, not specifically with regard to a particular member of this House. Rephrase.

MR. HAWKESWORTH: Given that they were aware of this documentary, why did his department not move more quickly to

protect the public funds entrusted to them?

MR. SPARROW: Mr. Speaker, as we stated earlier, our agreement is a contract that was signed in October, and it had a payment due in April. Many meetings went on with the city of Calgary, the proponents, and the Canadian travelers association was brought in in February, and agreements were made with them to be the sponsors locally of the tournament. The second payment from this government, which was due by contract, was made on May 3 after much review by the department. As I stated earlier, the press reports which cast aspersions on Mr. Jon Emr from the United States did cause Emr/Curtola a problem in raising the funds that they were supposed to produce, and because they couldn't produce those funds, ACT, the city of Calgary, and ourselves withdrew from the project.

MR. HAWKESWORTH: Well, Mr. Speaker, rather than blaming the media, will the minister clear the air and investigate why the alarm bells were not rung before May 3, I understand from his comments, and will he report back to the Legislature on where the responsibility for this apparent misappropriation of money lies?

MR. SPEAKER: Thank you.

Two questions in one; take one.

MR. SPARROW: As I stated in the Legislature earlier in the week, Mr. Speaker, this whole matter has been discussed with the city of Calgary. They have their lawyers working on the case; so have we turned our files over to our lawyer for advice. I think the staff of Alberta Tourism have to be commended. They did take due diligence all the way through the process. It's unfortunate. This could have been a very, very positive event for the city of Calgary. Many, many other events we've gone into, and there's a risk in each and every case, Mr. Speaker. The several that I've been involved with where funds of up to \$150,000 have been spent, like Celebrity Ski, have brought this province about \$7 million to \$8 million worth of advertising. The one, I guess, this government is very, very proud of is the \$1 million that Alberta Tourism spent on the preopening ceremonies of the Olympics, which brought some \$54 million . . .

MR. SPEAKER: Thank you, hon. minister; that's a long way from this chess game.

The Chair now recognizes Edmonton-Meadowlark, followed by Smoky River.

Environmental Impact Assessment Process (continued)

MR. MITCHELL: Thank you very much, Mr. Speaker. The recent federal decision to undertake comprehensive environmental reviews of pulp mill and other major development projects in this province is, I believe, a clear indication of the inadequacy of this province's environmental impact assessment process. My question is to the Minister of the Environment. Will the minister simply not agree that were his government doing environmental assessments properly, the federal government would have had no reason to move in and to do them for us?

MR. KLEIN: Mr. Speaker, first of all, the federal government has never made a decision to exercise its environmental impact

process in Alberta. As a matter of fact, they have indicated that where they have jurisdiction, they would like to participate and co-operate with Alberta. The extent of that participation and that co-operation is being considered now by the federal government. Hopefully we will receive word from them, perhaps within the next week to 10 days, as to how they will participate and co-operate with us.

MR. MITCHELL: Let's go back at it again. Will the minister please admit that if he had had the guts, the political determination to introduce proper environmental impact assessment legislation, we would not now be on the verge of losing provincial control over this very important jurisdiction over environmental policy in this province?

MR. KLEIN: Well, Mr. Speaker, we're not on the verge of losing control over the environmental impact assessment process in this province. The federal government has never indicated to us that our process is in any way deficient. All the federal government is saying is that there might be some matters over which they feel they have jurisdiction, and if in fact they do, they would like to have a say in the process. It's as simple as that, so simple that the hon. Member for Edmonton-Meadowlark should be able to understand it.

MR. MITCHELL: I think it's pretty clear that they gave the Alberta government the benefit of the doubt up to this point. Now they can't even trust this government to do it right.

To the Premier. Can the Premier confirm that losing control of environmental policy in this important area to the federal government is just another example of how poorly he and his government conducts, negotiates our interests in the federal/provincial relations arena?

MR. GETTY: Mr. Speaker, it is true that we know both the Liberal Party and the ND Party have always wanted to conduct a course of policy that would provide greater and greater federal control of matters. That's along the socialist, centralist style of their political beliefs. However, the government of Alberta has fought for the rights of this province and will continue to do so in the future. Those matters that are provincial jurisdiction will remain that way. There are some areas involving fisheries and navigable waters where the federal government wants to co-operate, as the hon. minister has pointed out, but we are not going to follow the wishes and desires of the ND Party and the Liberal Party, who would want to centralize things in the federal system. We will fight for Albertans on provincial jurisdiction.

Community Business Development Program

MR. PASZKOWSKI: We continually hear about the megaprojects, Mr. Speaker, that are being developed in Alberta, from tar sands to heavy oil upgraders to big-ticket forestry items. My question is to the Minister of Economic Development and Trade. Could the minister please indicate what, if anything, is being done to assist the hundreds of smaller rural centres in Alberta to take advantage of the spin-offs which might be available in conjunction with or as a result of the current strong economic growth in our province today.

MR. ELZINGA: Mr. Speaker, I'm happy to indicate to the hon. member that tomorrow I'll have an opportunity to release details

of a program that was announced both in the Speech from the Throne and in the budget as it relates to smaller communities within the province of Alberta. We are coming forward with a community business development program to help areas such as the hon. member has just lobbied for.

MR. PASZKOWSKI: Supplementary, Mr. Speaker. Could the minister inform the Assembly whether the announcement he referred to will be swallowed up by the major centres, or is the new program going to be targeted to cities, towns, and villages of certain population?

MR. ELZINGA: Mr. Speaker, I'm more than happy to share with the hon. member that it will be geared to those communities within the province of Alberta with a population base of less than 10,000 people. They can use this funding for accessing either technical or support services, as they see fit, so that they can develop an appropriate business development plan of their own, thus sustaining the economic growth within this great province of ours.

MR. SPEAKER: Final supplementary.

MR. PASZKOWSKI: Thank you, Mr. Speaker. Can the minister confirm whether this will be a onetime deal or an ongoing development program for our thriving smaller centres, which don't have a tax base to hire full-time economic development officers?

MR. ELZINGA: Mr. Speaker, I'm more than happy to indicate to the hon. member that those smaller communities can access this funding whether they wish to develop a business development plan or use it for support services or to provide promotional material advocating the assets of their specific locality. I should indicate to the hon. member that it is a pilot project. We're looking for input from members such as the hon. Member for Smoky River so that we can assess the value of this program. We believe it is going to be very worth while, but we wish to have his input as to the success of it over the period of this next year.

Funding for Postsecondary Institutions (continued)

MR. WRIGHT: Mr. Speaker, my question is to the Minister of Advanced Education and takes up where the question from the hon. Member for Ponoka-Rimbey, which was by way of a preemptive strike, very wisely left off. My question concerns the draconian cuts the president of the university referred to last night and, before him, the chairman of the board of governors of the university referred to in speeches of unprecedented fierceness about those cuts imposed on them by the university, which left President Horowitz saying that he was resigning from his post with a cry of disappointment. My question is: can the minister justify for us the level of funding for all postsecondary education in this province, which is less than the amount of concessions to the oil companies in any of the last few years?

MR. GOGO: Well, Mr. Speaker, I don't know where the hon. Member for Edmonton-Strathcona gets his term "draconian" unless it's from today's *Edmonton Journal*, which I have in front of me. I would point out that the budget of Thursday last

made an appropriation of an increase of 8 percent to the postsecondary system in Alberta. The University of Alberta, which the hon. member, I presume, is basing his comments on, had a 6.9 percent increase, which quite frankly, in the judgment of government, was adequate for the University of Alberta to continue its operations for the year 1989-90.

MR. WRIGHT: Mr. Speaker, the minister boasts of the unique program of formula funding. My question is: how can we trust a government that alleges there is a formula to replace equipment and renovate buildings when, in the case of the grant this year in respect of the University of Alberta, it is insufficient to meet the needs of a single faculty, the Faculty of Science, let alone the whole university?

MR. GOGO: Mr. Speaker, most other provinces have to meet within their operating budgets the very formula funding question that the hon. member refers to. In this year's budget there's some \$34 million provided to the postsecondary system in this province, an increase of 5 percent over last year. I conceded a few moments ago in the previous question that equipment wears out and that as an advocate for the system I would do what I could to see that those funds are increased in future. However, that is not a commitment that I can fulfill. It's one that the government will consider carefully. I would point out in summary that most other provinces would love to be in the very envious position of the postsecondary institutions in this province.

MR. WRIGHT: Again, as a final supplementary, Mr. Speaker, perhaps the minister can explain how we can reasonably trust a government that promises matching grants, dollar for dollar, to donations to universities to their endowment funds, when the allocation to the University of Alberta this year is \$2.4 million against an annual donation stream currently of \$10 million.

MR. GOGO: Mr. Speaker, this government recognized back in 1980 the great opportunity there was by creating an endowment fund whereby institutions could go throughout the province and seek private contributions to their institution. They were matched by this government. The success of that is self-evident. The 10-year program ran out. The \$80 million ran out in five years. A new program was brought in. To show the enthusiasm, it only lasted about three years, as I recall, and members will be called upon to pass special warrants that were passed a year ago for about \$48 million. Last week the government in the budget speech announced a new program of some \$80 million.

Now, the hon. member is not quite correct, and I hesitate ever to be critical of a lawyer who may be incorrect. I would point out that the U of A has been very successful in its fund-raising, raising over \$8 million a year in the past years. However, this government and this minister feel very strongly . . . [interjections] This is a very important point. There is more to this province than the University of Alberta and the University of Calgary. We have some 29 institutions, and this minister is convinced that the program called the endowment and incentive fund is a success story and all institutions should have access to it. That is why . . .

MR. SPEAKER: Thank you, hon. minister. Order.
Calgary-North West, followed by Grande Prairie.

VIA Rail

MR. BRUSEKER: Thank you, Mr. Speaker. It is now becoming apparent that the federal Conservative Party is in the imminent process of making a decision to allow passenger rail service in Canada to shut down. The loss of tourism to Alberta would be quite significant if VIA Rail were shut down. By waiting for the federal government to take action, this government shows a lack of concern for Albertans. My question is to the Minister of Economic Development and Trade. Will the minister provide leadership to bring together municipalities, chambers of commerce, and other interest groups along both VIA Rail lines to launch an effective campaign to stop the federal government from breaking its promise to western Canada?

MR. ELZINGA: Mr. Speaker, I'm more than happy to reinforce what I indicated in this Legislative Assembly last week and indicate my delight that finally this serious issue is being brought forward by the Liberal Party, which has been silent up until now. But to underscore what I indicated to an hon. member last week in this Chamber, we have made strong representation to the federal government and are going to continue with that strong representation to the extent that we also wish to have the costing figures, and we are requesting them from the federal government. To date I have not heard back from the federal minister, but I have raised it in a number of ways to the federal minister responsible plus his associates from the province of Alberta.

MR. BRUSEKER: Will the minister agree to establish a special committee of this Legislative Assembly to assist in the development of a strategy to retain VIA Rail?

MR. SPEAKER: The time for question period has expired. Might we have unanimous consent to complete this series of questions?

HON. MEMBERS: Agreed.

MR. SPEAKER: Opposed? Carried. Thank you.

MR. ELZINGA: Mr. Speaker, we already have a committee in place, an interdepartmental committee of ministers and departmental officials, whereby we are working to ensure that we do maintain what we consider a very essential service.

MR. SPEAKER: Final supplementary.

MR. BRUSEKER: Thank you, Mr. Speaker. My third question is directed towards the Premier. Since the Premier only moments ago said that he was so strong in maintaining Alberta initiatives rather than central government initiatives, why has this government not initiated a provincial study to examine the costs that VIA Rail will have in the province rather than waiting for the central government in Ottawa to provide the costs as the Minister of Economic Development and Trade has just indicated? Why don't we do that here and now?

MR. GETTY: Mr. Speaker, it's unfortunate that the hon. member's information is so incorrect. The government carried out such a study already.

ORDERS OF THE DAY

MR. SPEAKER: Might we have unanimous consent to revert to Introduction of Special Guests?

HON. MEMBERS: Agreed.

MR. SPEAKER: Opposed? Carried. Thank you.

The Member for Vegreville.

head: INTRODUCTION OF SPECIAL GUESTS

(reversion)

MR. FOX: Thank you, Mr. Speaker. It's my pleasure to introduce to you and through you to members of the Assembly today 67 students from the Peter Svarich elementary school in Vegreville. They are grade 6 students, and they are accompanied by their teachers Mr. Randy Footz, Mr. Raymond Charuk, and Mrs. Lillian Homeniuk. I would ask that all of those guests in the public gallery stand and receive the customary warm welcome of the members of this Assembly.

head: COMMITTEE OF SUPPLY

[Mr. Schumacher in the Chair]

MR. CHAIRMAN: Would the committee please come to order.

head: Main Estimates 1989-90

Attorney General

MR. CHAIRMAN: If the committee is ready to proceed, I'll invite the hon. Attorney General to introduce his estimates, which are to be found at page 49 of the estimates book and page 13 of the elements book.

MR. ROSTAD: Thank you, Mr. Chairman. I'm pleased to present the budget of the Department of the Attorney General for the 1989-90 fiscal year. I obtained my law degree just 10 years ago, and at that stage, when I graduated, I must admit that I never dreamt in the wildest dreams that I would be standing in the Legislature of the province of Alberta as the Attorney General. It's indeed a delight and a very humbling experience.

In the recent months we've watched millions of people around the world struggle to remake their societies and to develop the types of democratic institutions which we in Canada and Alberta may sometimes take for granted. It's important that we not take these institutions for granted, and I think to that end all hon. members will agree that a healthy system of justice is one of the cornerstones of our democratic way of life. As the committee examines the budget of the Department of the Attorney General, I believe that most members will agree that the services provided by the department are truly essential services. The Attorney General is responsible for the administration of nearly 100 statutes and provides for the administration of the Provincial Court of Alberta, the Court of Queen's Bench of Alberta, the Surrogate Court of Alberta, and the Court of Appeal for Alberta.

The Attorney General is responsible for the conduct of prosecutions under the Criminal Code and provincial statutes, is the legal adviser to the government, and maintains property

registries such as the Land Titles Office for all citizens of the province. It is therefore a particular challenge to myself, to my deputy, and to the department as a whole to ensure not only that we maintain the essential services which the people of Alberta require but that we provide the high quality of service which the people of Alberta are entitled to receive and, at the same time, that we exercise fiscal restraint and prudent management on behalf of Albertans. I believe that we have met the high expectations of Albertans in this budget. I note for the information of the committee that the total budget for the department is \$144.4 million, and this reflects a 6.4 percent increase over the budget of the last fiscal year.

Mr. Chairman, having made these general observations, I would like to move on to review some particular aspects of the department which might be of interest. Alberta's Maintenance Enforcement Act received Royal Assent in June 1985. The Act established a government agency to enforce maintenance orders. The program opened its doors on February 1, 1986, and to date has registered over 30,000 orders, of which over 20,000 are active. The program collected over \$18.7 million during '88-89 on behalf of individual creditors, an increase of more than \$7 million compared to the previous year. Collections on behalf of individual creditors during '89-90 are expected to exceed \$24 million, representing a significant service and benefit to many families in Alberta. Reflecting the government's emphasis on this program and its clients, the number of staff allocated to this program in '89-90 has been increased from 62 to 111 full-time equivalent positions. Most of the new positions were established as collection officers to enable a reduction from 1,000 to 800 in the number of files which each officer must handle. I'm hopeful that this will do much to further enhance the program's collection results on behalf of its clients.

Finally, I am pleased to advise that in the last fiscal year the maintenance enforcement program collected \$6.9 million for the Crown. Collections for the Crown are now close to \$700,000 per month and are expected to total \$8.4 million during '89-90. This amount is more than double the province's cost of operating the program and shows some of its effectiveness.

Many of the functions of the Department of the Attorney General have deep roots in tradition. However, Mr. Chairman, this does not mean that my department is required to use the technology of quill pen and ink to carry out our responsibilities. Rather, we are using and developing the best modern technology to meet the needs of Albertans in every aspect of the administration of justice. I briefly touched upon the maintenance enforcement program. That program, of course, relies heavily upon computerized systems to deal with the volumes of cases.

A second example is the criminal justice information system. The criminal justice information system was developed to meet the needs of the Crown prosecutors' offices throughout the province. The CJIS system tracks criminal charges for future court events until their final disposition. Court subpoenas, informations, and indictments are a few of the court-related documents the system routinely produces. The system has the capability to support a large volume of transactions, tracks thousands of charges and accused persons, and generates the thousands of witness subpoenas associated with these cases. The system has a very sophisticated inquiry function that provides detailed court information on an accused and related charges to the network of Crown prosecutors throughout the province. The system is now up and operating in Edmonton, Calgary, Lethbridge, Fort McMurray, Medicine Hat, and Coaldale. The system is cur-

rently being implemented in Red Deer and will be implemented throughout the other Crown prosecutor offices in the coming months.

The second example of a major initiative which has been undertaken is the Alberta land titles automation project, known in short form as the ALTA project. The budget for Land Titles Office includes funding for the continuation of this project which ultimately will computerize the land titles system and will usher in a new era of service with provincewide access to title information. The first phase of the system was implemented in the Edmonton Land Titles Office in October '88, and the work of converting over 1.3 million titles from paper to electronic format was started. In March '89 the electronic record was declared the legal record. Now certain searches, certified copies of title, and duplicate certificates of title are being computer generated.

The budget for the current fiscal year contains funds for ongoing system development and for continuation of the conversion effort. The conversion effort will be concentrated on active titles. Today over 100 document types are in production, and 700 registrations per day, which is over 60 percent of the Edmonton workload as an example, are processed on the new system. There are now over 40,000 titles on the system, and approximately 400 titles are converted each working day. The major tasks ahead are to complete the development of the system and to convert all titles.

A third example of the system's development to meet the future needs of Albertans is the personal property information system. This system is designed to complement the Personal Property Security Act, which was passed by this Assembly in 1988, and to ensure that the registry is able to maintain and improve upon its present level of service to the public. The new system will be coming into force in October 1990, at the time of the proclamation of the Act. The major goal of the personal property information system project is to ensure that the new system is as flexible as possible and as responsive as possible to the needs of the personal property registry clients.

An important part of the implementation of the Act consists of redesigning forms and guides using a plain language approach to ensure that they are easy to work with and are easily understood by our clients and staff. Furthermore, the Attorney General's department has entered into discussions with the Legal Education Society to develop comprehensive educational programs regarding the new legislation, forms, and procedures for lawyers, paralegals, financial institutions, and other users of the registry. It is the hope of the department that these initiatives will reduce the time and expense incurred by clients and the government in the registration and search process.

While the details of the particular programs are interesting, there is a common theme that I think is important. The common theme is that my department has undertaken initiatives and continues to take initiatives to ensure that the services which we provide to the citizens of Alberta can be provided in an efficient and effective manner, consistent with the demands of modern technology.

Moving on to other areas, I'd like to briefly refer to the legal aid program. The Legal Aid Society of Alberta is an independent society which is responsible for the provision of legal aid services within the province. The society is funded by government, and the estimates for the program are before this committee. The society is governed by a board of directors, which has representation from the Department of the Attorney General,

the Law Society of Alberta, the federal government, and members at large.

In May 1987 a task force was established to review the operation of the legal aid plan in Alberta. This task force consisted of members of the Legal Aid Society, the Law Society, and representatives of the Department of the Attorney General. Submissions were invited from the general public. As a result of the submissions received and the efforts of the task force, a report was provided to the Law Society and to our department late in 1988, and the report included a number of recommendations. The recommendations of the report are presently being reviewed by the Law Society and by the department. I expect to be able to announce the release of the report, which in my view has a number of innovative and significant ways of handling legal aid within the province. I am sure that the members of the committee will be interested in the recommendations and the ensuing recommendations that will come from the government and the Law Society on how we handle this.

Funding for the legal aid program is by means of a grant. The grant is within the estimates and is at the same amount as last year: \$15.7 million. During '88-89 the caseload handled by the Legal Aid Society was approximately the same as in '87-88. Out of 33,924 applications received, 25,183 were approved for assistance by the program.

Despite the stability of the society's overall caseload, slight increases continue to be experienced in terms of assistance given to persons charged under the Young Offenders Act. The number of youth cases completed in '88-89 was 5,550, an increase of 408, or 8 percent, over the previous year. The increase experienced in '87-88 was 12 percent. These increases can be contrasted favourably, I think, with the 250 percent and 65 percent increases in young offender caseloads which were experienced in the '85-86 and '86-87 fiscal years respectively. I think they indicate that we may be approaching a leveling trend in terms of the legal aid requirements related to the Young Offenders Act.

Another note where there's development in the program is the continuing expansion of duty counsel services, which are now available in 47 locations across the province. The primary purpose of the duty counsel program is to provide accused persons who are not represented by a lawyer with an opportunity to receive legal advice and assistance on a summary basis. Priority is normally given to persons in custody. However, where time permits, duty counsel may also assist others prior to their appearance. During '88-89, 32,281 persons were assisted at a cost of \$933,000, a modest cost of less than \$29 per person. I am pleased that this service, which was available at one time only in the larger centres, is now available in many of our small centres.

Also during '88-89 a review was undertaken by the Legal Aid Society of the structure of tariff paid to lawyers working on civil matters. As a result of this review, a revised tariff was developed which, although not increasing the hourly rate of payment, more fairly recognizes the time that must be spent by lawyers in handling certain civil actions. This should more equitably compensate the private Bar for the time that they spend on civil certificates. This new tariff became effective on April 1, 1989.

A further area I'd like to touch upon is that of gaming in Alberta. The estimates of the Gaming Commission are before this committee. The purpose of the Gaming Commission is to provide policy direction, control, and regulation of gaming events in the province. The commission issues licences for bingos,

casinos, raffles, pull tickets; resolves appeals; provides a forum for public consultation; and is a source of information on gaming policy. In November 1988, following a thorough review of casino gambling by the Gaming Commission, the commission approved an increase in the number of casino licences in Edmonton and Calgary. Prior to the change, community groups had to wait up to 30 months for a casino in Edmonton, while in Calgary the wait was up to 24 months. The change cut the waiting time in half, greatly increasing access to this type of fund-raising.

Approval in principle has been given to the concept of allowing groups to voluntarily pool net casino proceeds. The Gaming Commission is currently developing procedures to effectively implement the policy changes equitably across the province. Once in place, the pooling concept would allow groups to minimize the risk from this type of fund-raising. The increased number of casinos and the pooling of proceeds has had significant impact on the gaming control branch, which is a part of the criminal justice division of the department. It became necessary to increase staff in the licence review, audit, and investigation units to cope with the added workloads and to ensure good service to the charities. Licence fees were adjusted on November 1, 1988, to cover the administration and the operational costs of the Gaming Commission and the gaming control branch. It is not a net revenue generating fee schedule; it is merely there to pay the costs of operation. Additionally, the Calgary and Edmonton investigation units of the gaming control branch are working with charities and police departments to update security arrangements at bingos and casino events.

I'd like to say a few words about the revenue side of the department. With respect to revenues, Mr. Chairman, increases have again been achieved. The increased revenues continue to result from the fee increases which were implemented in the '87-88 year. These increased fees have contributed more than \$10 million in additional revenue to the province over last year, bringing our department's revenue to over \$90 million in the '88-89 year. These revenues were to significantly offset the costs of the department's programs. In fact, our revenues now comprise over 65 percent of the department's total '89-90 estimate, indicating that the net funding of the General Revenue Fund will be in the order of \$50 million to finance the department's operations. The fees charged by our department are comparable to those charged in other provinces, and accordingly, further increases have not been proposed during our '89-90 fiscal year.

Mr. Chairman, it goes without saying that a department consists of many programs, agencies, boards, and initiatives. I would welcome comment on any of the other aspects of the department that have not been discussed this afternoon, and I will answer all questions posed. If there's not time within the estimates time allocated this afternoon in committee, I will undertake to provide written answers to any of the questions.

I'd like to pay special recognition to my staff, not only within the deputy's office but the staff of the Attorney General's department throughout the province, who serve all Albertans in many, many good ways. I wish to say that the department would not have the reputation or the excellence without their services.

I now welcome any questions.

Thank you.

MR. CHAIRMAN: Thank you, Mr. Attorney General. I'd rec-

ognize the hon. Member for Edmonton-Strathcona.

MR. WRIGHT: Thank you, Mr. Chairman. I add my congratulations to those of others at this the first appearance of the new Attorney General in the Committee of Supply. I, too, 10 years ago had no idea that he would be the Attorney General, but that's not said in a spirit of denigration. I believe by his performance in this House as Solicitor General he earns his spurs. Perhaps it was helped by the fact that the previous Attorney General had other onerous duties which occupied much of his time.

Mr. Chairman, I'll take the opportunity of dealing with vote 1 -- that's the departmental vote -- to take up the Attorney General on his invitation to go through matters that his department administers in a discursive way to make some, I hope, constructive suggestions and perhaps some criticisms where they are warranted.

There is a useful list of the Acts administered by the department, which is far from being a complete list of everything that's administered, in their annual report. Dealing with them alphabetically, dealing with the ones I need to deal with, the Administrative Procedures Act is high on the list. As you know, Mr. Chairman, being a lawyer yourself, this was a result of the report of the Clement commission more than 20 years ago, which sought to regularize a code of fairness in procedure before boards and the like. It reads very well, Mr. Chairman, as I think you'll agree, but it does only apply to the enumerated authorities, and these are not extensive. They are nine in number only. Of all the boards and authorities that are in the province, only nine have been brought within the Administrative Procedures Act. Now, it does include many of the bigger ones -- Surface Rights Board, Motor Transport Board, Local Authorities Board, Public Utilities Board, the Alberta Planning Board in some guises, and the Environment Council of Alberta in some guises -- but many boards are not there.

My first question, then, is: when did the department last look at the Administrative Procedures Act to see why it could not apply generally to all authorities sitting in judgment on the citizens of Alberta? Because the procedure laid out is a procedure of fairness, and it would help considerably to have it codified and not be in the no-man's-land of judicial interpretation. One thing I came upon was that by Order in Council 130/86, the Provincial Planning Board was removed from being subject to this code of fairness. I wonder if the Attorney General could look up and see why that was. It's old history now -- I mean it's fairly recent history, but it is history now. Nonetheless, it's relevant all the time to his responsibility for the application of that Act.

The Builder's Lien Act is the next one I'd like to draw to the Attorney General's attention. That, as you know, Mr. Chairman, has been the subject of a report by a former member of this House, Mr. Knaak, who had a committee that rendered a report last fall to the Attorney General and I believe is importing the trust concept that finds its best expression in the Ontario builders' lien Act to our Act, and that is certainly a step in the right direction. But I believe the Attorney General will know that there has been a very enterprising small businessman called Fred Arbter, who as a small contractor has himself suffered grievously from nonpayment of his bills and had some very original thoughts about the Builders' Lien Act.

His thoughts were along the line that everything could be

solved if the money was held in trust by a third party who would simply pay out by cheques payable to the contractor and subcontractor on the certificates of the architect or engineer, whatever the procedure was in the contract. He wouldn't get involved in arguments about completion or deficiencies because the profit would be in the possession of both the contractor and the subcontractor. But it would mean that the money could not disappear into the general account of the contractor never to reappear in the form of cheques to the subcontractors, which, even with a trust arrangement, can happen if there is a mistake or simply a breach of trust by the contractor under the proposed arrangement. I must say with the greatest respect, Mr. Chairman, that I felt that the Knaak committee had dealt all too summarily with Mr. Arbter's proposals. I'm not sure whether they were even passed on to the Attorney General, so I will be glad to pass them on to the Attorney General so that when the report of the Knaak committee is considered, when later in the year perhaps the Builders' Lien Act is to be amended, these can be considered too.

The Dangerous Dogs Act is something that catches the eye. Municipalities have, with various degrees of success, attempted to pass bylaws regulating dangerous or vicious dogs, such as pit bulls are alleged to be and I think are, in many cases. The Dangerous Dogs Act, of course, deals with a different area: the same subject but from a different aspect. The municipality attempts to regulate them -- offences, that is -- in a quasi-criminal way, as it were. The Dangerous Dogs Act attempts to set out the law and modify the common law. But the common law has still not been modified with regard to the dog having its first bite, which is the normal way of phrasing it. Each dog is entitled to his first bite, because it's a domestic animal and therefore you aren't liable unless you know it's vicious. So there's a lot of truth to that summary of the law. I suggest that the Dangerous Dogs Act should be amended from that point of view so that there can be much easier access to the courts, civilly, by people who are bitten by vicious dogs and even killed, in the case of pit bulls.

The Expropriation Act catches one's eye farther down. The part of that which I asked the Attorney General to review is the application where a department, say the department of public works, approaches a citizen because it wants to take some of his land. The citizen is persuaded that it would be fine to go ahead with the proposal; it seems very fair and so on. And I'm quoting from an actual case now; this is an actual case I know that's causing a lot of trouble. The person -- I'm accepting the truth of this gentleman's statements for the purpose of the argument; it's certainly credible. I believe it's true, but it's certainly credible, that he was persuaded not to go to a lawyer because that would be unnecessary expense. So he didn't, and he signed the transfer of -- I don't what it is -- the subdivision plan first of all, I suppose, and then the transfer of the piece of the land. But he found later that there was just a very crippling, injurious affection to the remaining land because of the loss of this particular piece of land, and it was too late to do anything about it because he had signed up.

If he had not been so nice and had gone under the Expropriation Act, injurious affection on the remaining land, where part of your land is taken and including loss of profits of business, is part of the common law applicable. And he would have got it. So I don't quite know how this can be handled. It was the department of public works he was dealing with, so it can always be handled on a discretionary basis. But I submit that the Act

itself should make provision to protect people who, with the best of intentions, put themselves out of the nominal reach of that Act by going along with authority.

The Judgment Interest Act is the next one I wish to mention, Mr. Chairman. As the Attorney General well knows, this has been a very good and long overdue Act in respect of interest before judgment. But in respect of interest after judgment it has no effect yet because that's in the federal jurisdiction under the Interest Act. Consequently, creditors may be earning 16 percent on their unpaid promissory notes until they come to judgment, but thereafter they're apt to earn only 5 percent. Now, the courts do have jurisdiction, it seems, to alter that on their own. I'm not sure that they can really repeal an Act, but they do seem to in a case of foreclosure. But that's getting technical. The general point is that interest on judgments -- certainly, in any event, on judgments for general damages or even special damages -- goes along at 5 percent still. It's now five years since that Act came into force, and still no progress. Perhaps the Attorney General could get together with the previous Attorney General and get things working with the federal government to . . .

MR. ROSTAD: It'll be done next week.

MR. WRIGHT: Done next week? I see. All right. Well, that's five and a half years, and that's pretty good.

The next one I notice is the Jury Act. There's something really amiss with the way the juries are got onto civil cases in Alberta, Mr. Chairman. The fees are not in themselves enormous -- I mean, the jury men and women are not overpaid, by any means -- but completely beyond the means of the ordinary litigating person. Many litigants have chosen a jury and regretted that they did so. Nonetheless, it is a fundamental right, and it is completely beyond the means of most civil litigants. The ones that can afford it, don't want it, and the ones that want it, can't afford it. For instance, a case which is going to last, say, eight days, which is not a huge length of time for at all a complicated case which can be tried by a jury, will usually require a deposit of \$6,000 or \$7,000. When one considers the expense of litigation anyway, quite apart from the jury, it means that for practical purposes juries are unobtainable by unassisted litigants in this province. It is not the Jury Act itself, of course, that contains those provisions. They're in the Rules of Court.

Next is the Limitation of Actions Act. I believe the Institute of Law Research and Reform has made a report recently on this, which is under consideration, but I do have a plea to the Attorney General to step in and remove right away the special and very short limitation period respecting physicians and allied health care professionals: chiropractors, dentists, and the like. There's really no reason why they shouldn't conform to the general rule which is, in their case, because it's invariably physical injury that's being talked about, two years. I would hazard a guess that one-fifth of all the private Bills that come before the Assembly and invariably the hardest ones to deal with are those that seek to extend the limitation period for actions against physicians in heartbreaking circumstances where there was no real way the plaintiff could have understood the full extent of their injuries within the year provided.

The Maintenance Enforcement Act. I'm glad the Attorney General spoke about that, and others will speak about it, I'm sure. It's a success story, but like many success stories, there's still a long way to go. The only thing I would add is that the

very success of it has drawn attention to another state of affairs which sometimes is an unfairness. The custodial parent is fully assisted financially in the recovery of money owing under the order. Yet the noncustodial parent, if there is a problem about access, is not. In the bad old days the noncustodial parent all too often would retaliate by not paying the maintenance, and say: "Well, the whole thing is a mess. I just give up, but I'm damned if the other party is going to have any money unless I can, you know . . ." You know the argument. Well, now they have no option. And yet lawyers commonly charge \$1,000 to go to court under the Alimony Orders Enforcement Act or to chambers for an application, and considering the length of time that develops, it's not an unfair fee. On the other hand, the custodial parent is fully assisted -- and everyone agrees with that -- in the recovery of the owing maintenance or alimony.

The Masters and Servants Act, Mr. Chairman, I see in this list. I meant to ask someone to look up when the \$500 limit on the recovery under the Masters and Servants Act in the small debts court was put in, but it must be 30 years ago, because it's \$500 or six months' wages, whichever is less. So that really is something that illustrates -- I'm going to be a little more serious now -- the priority of this, preceding governments, because this is something that affects workers almost exclusively, workers with hand or brain, as they used to say, to give them cheap access to justice. In the small debts court they are assisted by the Department of Labour nowadays, it's true; the labour standards. But still it precludes the necessity, if the limits were realistic, of going to the Queen's Bench. And it's a do-it-yourself thing, in theory, in the magistrate's court. But it's not like that; I mean, \$500 is a joke most of the time. So that, surely, is long overdue.

Legal aid: you spoke at some length about that. That was going to be one of my questions, as a matter of fact, Mr. Chairman, now partially answered, which is: when will we see that report? This is a task force report. We haven't even seen the task force report. We can't get it. And we haven't seen the report of the joint committee of the Attorney General and the Law Society, I guess, or at least of the committee that considered the task force report, which was fairly recently given to the Attorney General, I think. I hope when things are released we will see both, together with the report of the Attorney General himself on both of them. Because if they do indeed contain innovative measures, we should like to see the reasoning and whether there were even more innovative measures proposed at the task force level. I know that one of the things considered will be the extension of legal aid, and I draw the Attorney General's attention, although I don't think that's necessary, to the lamentable state of legal aid in civil matters.

I'd also be interested in the Attorney General's telling us the relationship of what is spent by the government of Alberta to what is currently being received from the federal government on the legal aid account. But something has to be done about civil legal aid, because civil litigation is just out of the means of most litigants of moderate means, quite apart from anything to do with juries.

In that connection, and quite apart from legal aid, it's my submission that the civil litigation process could be immensely speeded up if one large bottleneck -- that's probably a contradiction in terms; one small, big bottleneck -- is removed, and that is the present form of the discovery process, which is viva voce examinations for discovery. That was something that was brought in as a simplification 80 years ago when the legal profession was just gearing up in the Northwest Territories -- and in

Alberta, I guess, 80 years ago. It substituted for interrogatory the idea of viva voce examination, where you just go down to the clerk and the admissions will be recorded by the clerk and left in the file. Well, from those small beginnings it has grown into a monster now which takes years, sometimes, to get through.

I believe the only real treatment here is to throw it out go back to interrogatories -- and that will force lawyers to pay much more attention to pleadings and to go for further and better particulars on pleadings -- speed up the process immensely and, not incidentally, cheapen it considerably, because the rates for court reporters really knock your eye out. I had a set of transcripts for a day, and they charged me 500 bucks for them, Mr. Chairman. It was incredible. Then, what was even more incredible, because this excited my curiosity, I found that by careful spacing of the words and big spaces where undertakings were given and so on, it didn't even conform to the rules. There was 25 percent less than the rules required, because there are rules there. So it was cheating, not to put too fine a point on it under the rules, quite apart from the fact that technically you couldn't even file those transcripts. And what's more, this particular service is much used in the Attorney General's department.

How much more time do I have, Mr. Chairman? Thank you.

Turning to the matters that the Attorney General mentioned, the Gaming Commission is certainly something that is very much in the news now, and this is not the place to debate all the pros and cons of that. But we do know that it is a tremendous money-raiser and the money is, in this province, I believe, virtually invariably put to excellent uses. But it does prey on a human weakness. Everyone knows that and everyone is torn between mercy for the addicted and the necessity of finding funding for community leagues, for your favourite choir, for all kinds of charities. I wonder if the Attorney General should not consider the funding of Gamblers Anonymous or some similar therapeutic organization, much as the Liquor Control Board funds, through the Department of the Solicitor General, facilities for the treatment of alcoholics. It's well recognized as an addiction and, in some ways, even more destructive of families, because there's no limit to what you can gamble but there is a limit to what you can drink. Mind you, that's too much of a simplification, but it's still a very serious problem.

So, Mr. Chairman, I wish the Attorney General well in his new portfolio. Judging from his performance in the last, he has a good prospect of success.

MR. CHAIRMAN: The hon. Member for Calgary-Buffalo.

MR. CHUMIR: Thank you, Mr. Chairman. I'm pleased to echo the sentiments of my learned friend to the right here, whom I've taken to referring to as Rumpole from time to time, and would like to echo his congratulations to the minister on attaining the highest legal office in the province.

I have some comments and some questions, and would apologize in the event that I raise some questions with respect to some of the opening comments of the minister which I was unfortunately absent for.

Insofar as vote 1 is concerned, Mr. Chairman, I note that the Departmental Support Services are up 14.8 percent. The Minister's Office has been beefed up. The minister made some references to improvement of his information services. Perhaps those may be the long overdue improvements in his internal sys-

terms which were recommended by the Auditor General. I'm wondering whether the minister could confirm that that very large increase in vote 1 of 121.9 percent with respect to Systems and Information Services is in response to the recommendations of the Attorney General. In the event that a large part of that related to computerization, I was wondering whether or not he might advise as to which computer company consulting firm had the contract on that and whether or not it was the same one which has been so closely associated with Mr. LeBlanc.

I note that Court Services are up in vote 2, Mr. Chairman, by some 10.8 percent globally. But in particular what stands out is that there have been major increases in provincial criminal court and family and juvenile courts throughout the province in the 25, 26, and 27 percent range. By contrast, many of the court operations in the northern and southern regions have percentage increases which are of a less substantial nature. I'm wondering what accounts for, number one, the significant increase in certain areas, and number two, the differential. Would the minister advise whether or not some of that increase relates to proposed long overdue wage increases for our prosecutors, who are poorly paid in relation to the rest of the profession and have been falling significantly behind in recent times?

[Mr. Jonson in the Chair]

I would also like to take this opportunity to congratulate the minister. I assume it is he who is deserving of the congratulations rather than his predecessor. But, in any event, I'm sure he'll accept the congratulations because he'll be blamed for a lot of things he's not responsible for in any event, and the congratulations relate to finally providing the judges of our provincial courts with an increase in their wage levels commensurate with that enjoyed by members of federal courts. That was a formula that was set in motion some years ago. There was some extreme hesitancy, to say the least, on the part of the previous Attorney General in recognizing the wisdom of having such an objective formula which removed any potential for interference and pressure by the provincial Attorney General and thereby enhanced the independence of the judiciary. I do, therefore, congratulate the Attorney General to that end.

Now, I would also like to raise once again an issue that I dealt with last year in these estimates, Mr. Chairman, and one which has certainly remained unresolved, at least to my knowledge. That relates to the expense of obtaining transcripts of trials. The cost of transcripts is very high. They are needed often by indigent litigants in order to commence appeals or often to assess the potential of appeals. It's a very serious problem to a number of litigants, and I think it would be a credit to this province if the Attorney General could do something to address this particular need. That falls under the category which I focused on in general as the theme of my comments last year, and that is that this province has failed to make provision for the neediest in our community. Or perhaps I should say the next-to-neediest, because as my learned friend noted last year, we do have in many instances processes which provide for those who are either princes or paupers, in a very good phrase, but it is those who are next door to the 'pauperdom' who are moved to that degree of 'pauperdom' or worse in the event that they come into contact with our legal system. We really have to do more for lower income Albertans in all ways in this province, but most certainly so far as the legal system is concerned, and I will have something more to say about that later in my comments.

Now, moving on to the subject of vote 3, that of Legal Services, I would like to comment briefly on the issue of law reform. I note that there is a provision for Law Reform there. It reflects no increase with respect to the previous year. I have spoken quite extensively in this House, and indeed have presented a motion with respect to the needs of our system to be reformed insofar as the delivery of service to low-income Albertans is concerned.

We are now in a position where those of average means are totally unable to conduct any piece of litigation in this province -- it's just too expensive -- and it's absolutely fundamental that we make some effort to determine ways in which the cost of litigation can be reduced, whether it be by means of alternative dispute resolution, whether it be by means of the very simple expedient of raising the limit of the small debts court from \$2,000, where it stands at the present time, up to, say for example \$10,000, or whether it relates to providing for legal services in some way to be provided for those who do not have legal degrees, perhaps have some training in some other specialty, in particular those who come into contact with the Workers' Compensation Board, who have problems with social services or with unemployment insurance. Many other similar areas are in need of legal assistance which cannot be provided by lawyers because of the inevitable cost of legal services, and I think we have to address means of serving these people in our community. There's an old maxim that states that justice delayed is justice denied. Well, we go beyond justice delayed; we do not have access to justice at all for many of the citizens of our community.

Before I move on, I think it was implicit that there was a question in that; I was eliciting comments from the minister. But I would specifically like to ask the minister to comment on the issue of law reform: why it is that we have been so slow to respond to what is an obvious need to any person who has come into contact with the legal system and certainly to any lawyer I've spoken to. There is unanimous agreement that we do need some action to review the fundamental structure of our legal system, and I'm wondering whether the Attorney General might comment on that.

Also, insofar as gaming control is concerned, under vote 3 the amount allocated to Gaming Control is up 44.1 percent. I assume that relates to what the Attorney General has stated is an increased workload, but it's certainly a phenomenal increase for one year, and perhaps the minister might enlarge on whether or not that is all taken up by that rationale. Gaming has become very big business in the province. I share the concerns of my friend from Edmonton-Strathcona who expressed some apprehension and ambivalence about the role of gambling in our community. However, it's quite clear that gambling is here to stay, certainly in the forms we have it for these charitable uses.

One of the things that concerns me in that regard, however, is that it remain fair for all potential qualifying charitable groups in the province and that they have equal access to the system. I speak on my own behalf when I say, as I did last year on an issue that was raised by the Attorney General as well, that I'm very concerned about the possibility of certain charitable groups getting control of and priority for a particular facility. That seems to me to pose a great potential threat to equality of access to the gaming system in this province. I would urge the minister to look at that carefully and stick to the fundamentals of equality, because once you deviate from those fundamentals, you set in motion a whole range of forces which ultimately will

cause trouble and inequity in this province. I would appreciate if the minister could perhaps comment on where he stands on that issue: the direction we are moving, particularly in light of some of the decisions of the Gaming Commission with respect to casino licences here in Edmonton recently.

Moving on to vote 4, Mr. Chairman, I'd like to comment briefly on the legal aid system. Last year the Attorney General stated, in respect to some very extensive concerns I've been expressing for a few years, that he was meeting in June of 1988 in Toronto with the Attorneys General of all the provinces and the federal Minister of Justice to discuss the means whereby the legal system could be made more accessible. I'm wondering whether or not the Attorney General is now privy to the results of that discussion and what the general consensus and conclusion of the participants of that discussion were and how this may impact upon the approach we have to providing greater access to legal services in this province.

As I've said in the past, I believe the provincial government has policies which have been nothing short of disgraceful. We see once again that the support for legal aid has remained flat; there's no increase. When we look back historically, we find that the budget estimate is now only \$300,000 above the actual expenditures back in 1986 and 1987. I believe support for legal aid is one of the low points, if not the lowest point, in the Attorney General's department. It's certainly one of the low points in the provincial government. We in Alberta stand amongst the lowest per capita contributors to the legal aid system in the whole country. I have in the past quoted the latest statistics that were available to me which showed that our per capita expenditures on legal aid in 1983-84 were \$4.66, whereas the national average for such expenditures was \$7.11 per capita. So on that basis we stood at 66 percent of the national average, which is not a figure we could take any pride in whatsoever. Having looked through the budget document since then and seen the rather mean-spirited approach to this issue, I'm sure we have fallen even further behind. That is a particular disgrace when we consider that of the \$15.65 million that is provided, approximately \$6 million comes from the provincial government.

The bottom line is that too many desperate people are denied legal services, too many certificates for legal assistance are turned down, particularly in Calgary, I might note, which stands out across the province as an area where it is particularly difficult to get approval for a legal aid certificate. In particular we find the number of certificates for civil legal aid declining rather dramatically. It is very, very difficult to get a certificate for civil legal aid. There are many areas which are not covered at all. I'm sure the minister has had representations in that regard, and I would hope something is done about that. In addition, the income levels are too low. I understand they have not been adjusted for some years. It may be 1985-86 since the last adjustment. In any event, whatever the time in which they were adjusted, they are far too low. I would appreciate the minister's comments with respect to those issues.

Now, the minister mentioned that he's received a report from the task force reviewing the legal aid system. I understand that report will be dealing with some very fundamental issues. I hope it will deal with the scope of legal aid, the need for enhanced civil legal aid. I hope it will deal with the funding issue, with the issue of whether or not a system of in-house counsel, or at least a blending of that system with our current system, may be appropriate. It will hopefully deal with the issue of whether or not it is advisable to provide a legal aid Act in this province,

as most, if not all, other provinces have, as opposed to the current system of providing for legal aid by simple contractual agreement. Hopefully it will also deal with the very important issue of choice of counsel, which is now currently denied except in very rare circumstances. So I would appreciate if the minister could advise as to when he anticipates this long-awaited report will be ready for release. He mentioned it was coming up -- soon, I hope -- and I would appreciate some elucidation as to the specific timing on that.

Under vote 5, I note that land titles expenditure estimates have been cut by 9.4 percent. I would be appreciative of an explanation of why the decrease. I must say that in many ways when I look at that, I find that I can't believe my eyes. In recent months I've been hearing a number of complaints from those who are involved in real property transactions in the legal profession, and they have pointed out a rather spectacular deterioration in services at the Land Titles Office during the past year. Now, granted that we had perhaps the best service in the country up to a year or two ago and it was common to expect a transaction to go through the Land Titles Office within two or three days, sometimes even the same day; we're now up to two weeks and beyond for a transaction to go through. I've heard different explanations. I've heard that the computerization has delayed matters. I've heard that the heavy volume of real estate transactions in the last year is the culprit. I've even heard that there's work to rule as a result of some disgruntlement within the Land Titles Office. Last year the minister offered us some glowing crowing about the benefits which computerization would bring to us, and I was wondering whether the Attorney General might comment on the cause for this delay and comment on the rationale for the 9.4 percent cut and whether or not this is going to impact upon the now deteriorating and much sadder level of service. I hope there is some paradox here in respect of the decrease in the expenditures and in fact we will be assured of greater efficiencies and quicker service.

The minister is responsible for the Land Compensation Board. I hope we're back on a more responsible path here after the unhappy saga of the appointment of the Premier's chum and neighbour which led to the predictable disaster.

AN HON. MEMBER: Naturally you're applauding the minister.

MR. CHUMIR: I am indeed applauding the minister, but I'm only partially applauding him. I'm applauding him for his very quick interim action, but in terms of the investigation, the revelations with respect to what went wrong and proposals to improve the system, I'm afraid the minister does not get very high marks.

The so-called investigation which has been conducted falls into the category of a whitewash. It will end up in the whitewash hall of fame. He obviously called in his troubleshooter, who is very good at his job, which is to keep the government out of trouble by keeping the lid on problems. From an investigation we find that we have no report whatsoever, that the matter was resolved by the resignation by the two members. We find that the so-called investigator didn't even bother to interview all the people who allegedly had information with respect to this sordid affair, a number of whom were mentioned in the letter from Mr. O'Farrell of Bennett Jones, who was acting in a very public-spirited and responsible manner in bringing this issue to the attention of the minister.

It's being treated as a matter of a minor indiscretion, totally overlooking the fact that there is the possibility that the course of justice was perverted in at least two other cases in which the chairman of the board and the land appraiser in issue were both involved and possibly in contact with respect to the case. There is some public concern, certainly within the legal profession, Mr. Chairman, with respect to these cases and, in particular, with respect to the Land Compensation Board as a whole.

I have a question for the minister with respect to the conclusions of his investigator. I'm particularly interested in this. The question is whether or not his investigator concluded that Mr. Wood, the chairman, and the land appraiser in issue, although they very clearly met together, did not discuss the case during those meetings. Was there a clear conclusion to that, and is the minister satisfied that everything was done to ensure that that conclusion was based on the most thorough investigation?

I'm going to conclude with respect to the Land Compensation Board issue, Mr. Chairman, by noting several other issues that have been raised by lawyers involved in the land compensation process. One is that there's some concern amongst lawyers and landowners about the provision in the land compensation Act which provides that those who are undergoing an expropriation at the hands of a municipal body are not entitled to end run the Land Compensation Board and go directly to a court, as they are when the expropriation is by the province. The particular concern arises from the fact that in many, if not most, expropriations by municipal bodies and particularly in the case of the expropriation in Medicine Hat that caused all the problems, the provincial department of transport pays 80 percent of the cost of the expropriation. If the provision entitling landowners to go directly to a court rather than the Land Compensation Board when the province is expropriating is intended to avoid any apprehension of conflict -- when a provincial board is expropriating and the province is paying -- it is clear that that same conflict substantially exists when the department of transport is paying 80 percent of the cost to the municipal expropriation.

Now, I've also had concerns raised with respect to the role the department of transport plays. Rather than playing an objective role providing information and assistance to the board, it has been playing an outright advocacy role on behalf of the expropriating authority, the municipalities in many of these cases. It has been in there not just cheerleading but often -- I think the term was used by one of the lawyers -- quarterbacking the case for the expropriating authority. That is certainly inappropriate, Mr. Chairman.

On Fatality Inquiries under vote 6, Mr. Chairman, last year there were some concerns raised -- a number of them publicly, some here in this Chamber -- that staffing problems were being experienced in the office of the medical examiners. I have had passed on to me a concern that the wage levels for medical examiners have been frozen for the past six years. I would appreciate it if the Attorney General could comment on whether or not staffing problems are still being encountered and what has been going on with respect to the salary levels.

Finally, Mr. Chairman, I would note that I have also had . . .

AN HON. MEMBER: You've also had a half hour.

MR. CHUMIR: I'll have to take that up with the minister privately.

MR. BOGLE: Mr. Chairman, I would like to direct several

comments and a question to the Attorney General specifically with regard to the question of Crown prosecutors and the recent decision by the department that Crown prosecutors would no longer be enforcing municipal bylaws. That communication was passed on to the Taber Municipal Police Commission in mid-March. It would take effect as of April 1 of the current year, so there was very, very little advance warning and no opportunity for consultation in the process. The police commission discussed the matter with the town council, and in one of my regular meetings with Taber town council the matter was raised. The Mayor, Paul Primeau, wrote to the Attorney General and requested a reconsideration of that decision.

It's important to note that in a community the size of Taber -- Taber has approximately 6,800 residents, and there are another 6,000 to 7,000 people in the immediate area around the town, residents who live within the MD -- in the last two years the Crown prosecutor has been called upon on one occasion to prosecute a noise bylaw. There were four other matters that would have been dealt with by the Crown prosecutor had they gone to trial, but in all four cases the individuals chose to plead guilty and therefore there was no need for that involvement. So there is a principle at stake. It's not a service that's been badly abused, at least in the case of the community I'm referring to, and I doubt very much that it's been abused anywhere within the province.

It's important to note that there's one other unique circumstance that affects Taber. Taber is one of a small number of municipalities in the province that has its own police force. Most members are aware that the RCMP provide the policing services in most municipalities across the province. There are a handful that have their own police forces, and there are two within the Taber-Warner constituency. In addition to the town of Taber, there's the town of Coaldale. Whereas we do have provincial court services in Taber, it has been a requirement that protection be provided by the local police force in the court service. In discussing this matter with Mr. Ken McDonald, the chairman of the Taber police commission, it's his understanding that the direction to provide this service first came from His Honour Judge Lynch-Staunton and that members of the Taber police force have, in fact, been providing that service. The Attorney General's department was notified in mid-May by the chairman of the Taber police commission that the protection would be withdrawn and that that was being done regrettably, but the manpower was being stretched and the town was being required to take care of its own municipal bylaw infractions. At the urging of the Solicitor General's department, I'm pleased to say that the police commission has decided to continue providing that service at least until there can be some consultation over the entire matter.

So my question to the minister, Mr. Chairman, is: will he give this matter his personal attention? Will he review the question of the prosecution of municipal bylaws and determine whether or not this service may again be provided by Crown prosecutors, as it has historically, so we can come back to some kind of harmony and ensure that on one hand we're providing a service to the town of Taber through the prosecution aspect and, in turn, the town of Taber is providing a service to the government, albeit another department, the Solicitor General's department, in providing the protection so that the system may in fact move on in harmony?

MS M. LAING: I would just like to make a couple of com-

ments in regard to this department. I would note that a number of the Acts under the department need to be amended in regard to marital status. I would suggest that the Dower Act, the Family Relief Act, the Intestate Succession Act, and the Married Women's Act need to be addressed in terms of discrimination on the basis of marital status.

I would certainly applaud the increase in funds to the maintenance enforcement program. Certainly the lack of resources that this program in the past has had has worked a hardship not only on debtors and creditors, so that in some cases debtors who were unable to pay suffered some hardship because that information was not communicated and not dealt with appropriately . . .

I would note that the minister commented about the amount of money gathered for the Crown by this program, so that it is more than self-sustaining. I think, however, we still have an unending supply of phone calls and letters from women who are experiencing difficulty with this program. I understand there will be an increase in staffing, and I would ask that the minister confirm that.

But I think there are some other difficulties in the program. One of the concerns we have had in the past was that the director of the program had a greater commitment to seeking the co-operation of debtors than enforcing court orders. I think that when a court order is in place and if we need a court order, then co-operation has already gone out the window. I think we have to recognize that this is a program to enforce court orders, and that should be a top priority. I think it is really important to never link maintenance enforcement with access enforcement. These are two totally separate issues, and there is a great difference between collecting money and collecting children.

There are a number of recommendations from the Advisory Council on Women's Issues that I would ask the minister to consider. One of them is that there be immediate payment to the creditor rather than the 10-day delay after the cheque is received. This delay has caused untold hardship for the creditors. I think if we hold the person writing a cheque responsible to make sure that cheque is good and not somehow hold the person to receive the money responsible for the cheque being good -- if we can switch our minds around a little bit to deal with that issue. So if a cheque is NSF, men we deal with the person that has written an NSF cheque and not punish the person that should be receiving it. This has been an ongoing problem -- forever, it would seem.

Another complaint we continue to hear is that claimants cannot get access to information over the telephone. In other jurisdictions people are given maintenance enforcement identification numbers and they can phone in and find out what's going on. Again, I think that would eliminate a lot of the anger and hostility that people feel because they don't know what is going on. Sometimes information just defuses the anger and hostility.

In the same vein, it would be helpful to have an explanation code to account all the cheques that go out to creditors, so that, again, the creditor knows what is happening.

It is also recommended that legislation be changed to require support to help the collection of support payments that come out of a separation agreement or other kinds of agreements where each party has had legal and separate counsel.

Another issue that needs to be addressed: what we hear again from creditors is that if the debtor goes to court to have the order varied, maintenance enforcement does not continue to enforce the order. Now, I'm not sure if that is continuing, and I would ask the minister to look into that because that really

works a hardship on the creditor. I believe the money should continue to be collected until the order has been in fact varied. Now, I know there has to be some sensitivity when the debtor is unemployed or something like that, but what happens is that going to court to have a court order varied is, in fact, a wonderful delay tactic. If one does not pay while the matter is in the courts, then it's hard to recover the missed payments if there is no change in the order.

Another great problem we've heard from all over Alberta except Edmonton is that headquarters for this program and access to aid from this program is through the Edmonton office. It's centralized here in Edmonton, so there is again a request that all provincial courthouses have an officer of the maintenance enforcement program to help people and to give payment.

The final concern is that late pay and arrears in support for children must be dealt with very strictly. The present discretionary powers of the director to forgive arrears after three years and, in fact, the Act stating that arrears after 10 years will be forgiven is really unacceptable. A debt is a debt, and I don't know that there is any other area in law where after three years a civil servant would have the right to forgive what has been a court-ordered payment. So I would ask that the minister address or look these issues, because certainly we hear of \$10,000 and \$12,000 arrears and the hardship that causes for women and children in this province.

That's all I wanted to say. Thank you very much.

MR. PASZKOWSKI: First of all, I'd like to take this opportunity to congratulate the minister upon his appointment. I think the appointment was a wise one, and I'm sure we're all going to be primary benefactors from that fine appointment. I think Alberta stands to benefit with a man of the expertise our minister now provides. It is with some pride, of course, that I feel our association with the minister is going to develop an institution in the next four years that we're all going to be primary benefactors from.

I have a bit of a concern I'd like to mention to the minister, and that's regarding the Public Utilities Board. I've had some representation from three different groups of constituents within the last two months regarding some problems they have had with power companies. One of them, unfortunately, is that of a group of people who are trying to put together a nonprofit type of project. They are in need of enhanced power service in their community. They had gone to the power company for a rough estimate. They budgeted on the basis of the rough estimate, which in this case was something to the tune of \$30,000. Then when the final estimate came about, it was \$65,000. This was only a period of about three months later. Of course, the group was trying to raise funds. They had raised the \$30,000, assumed that that was what they really needed, and men, of course, with the \$65,000 it's unfortunately put the whole project on hold.

I've had similar instances drawn by two individual people who have asked that they have power service provided to them by the power company. They have reiterated the same problem where in the preliminary estimate they were given a rough estimate, as was indicated, and it turned out that the final estimate was indeed at least double or even more.

Now, it seems to me that a company that is involved in the business and in the work should be able to come a little closer to that type of final number. I wonder, Mr. Minister, if perhaps this could be drawn to the attention of the Public Utilities Board and perhaps have these companies become a little more respon-

sible to the general community.

That really is the only issue I have to raise, and that's all I have to say. Thank you.

MR. DEPUTY CHAIRMAN: Hon. Government House Leader.

MR. HORSMAN: Yes, Mr. Chairman. In order to comply with Standing Order 19, I move that the committee rise, report progress, and beg leave to sit again.

[Motion carried]

[Mr. Deputy Speaker in the Chair]

MR. JONSON: Mr. Speaker, the Committee of Supply has had under consideration certain resolutions, reports progress thereon, and requests leave to sit again.

MR. DEPUTY SPEAKER: Having heard the motion by the hon. Member for Ponoka-Rimbey, does the Assembly concur therein?

HON. MEMBERS: Agreed.

MR. DEPUTY SPEAKER: Opposed? Carried.

CONSIDERATION OF HER HONOUR THE LIEUTENANT GOVERNOR'S SPEECH

Moved by Mr. Clegg:

That an humble address be presented to Her Honour the Honourable the Lieutenant Governor as follows:

To Her Honour the Honourable W. Helen Hunley, Lieutenant Governor of the province of Alberta:

We, Her Majesty's most dutiful and loyal subjects, the Legislative Assembly, now assembled, beg leave to thank Your Honour for the gracious speech Your Honour has been pleased to address to us at the opening of the present session.

Moved by Mr. Martin that the motion be amended by adding the following:

but that the Assembly condemn the government for failing to uphold commitments made in the Speech from the Throne of February 17, 1989, failing to introduce tax fairness measures that would ensure that wealthy individuals and profitable corporations pay their fair share, failing to protect Alberta's environment, supporting higher taxes and cuts to vital services in the federal budget of April 27, 1989, and supporting the so-called free trade agreement with the United States even though it means lost jobs and oppor-

tunities for Albertans.

[Adjourned debate on amendment June 7: Mr. Paszkowski]

MR. DEPUTY SPEAKER: All those in favour of the amendment proposed by the hon. Leader of the Opposition, please say aye.

SOME HON. MEMBERS: Aye.

MR. DEPUTY SPEAKER: Opposed, please say no.

SOME HON. MEMBERS: No.

MR. DEPUTY SPEAKER: In my opinion, the nays have it

[Several members rose calling for a division. The division bell was rung]

[Eight minutes having elapsed, the House divided]

For the motion:

Barrett	Laing, M.	Roberts
Doyle	McEachern	Sigurdson
Ewasiuk	McInnis	Woloshyn
Fox	Mjolsness	Wright
Gibeault		

Against the motion:

Adair	Gesell	Musgrove
Ady	Getty	Nelson
Bogle	Gogo	Oldring
Bradley	Horsman	Osterman
Brassard	Hyland	Paszkowski
Calahasen	Isley	Rostad
Cherry	Johnston	Severtson
Clegg	Jonson	Sparrow
Dinning	Klein	Speaker, R.
Drobot	Kowalski	Taylor
Elliott	Laing, B.	Thurber
Elzinga	Lund	Weiss
Evans	Main	West
Fjordbotten	McClellan	Zarusky
Fowler	Mirosh	

Totals:	Ayes – 13	Noes – 44
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[Motion on amendment lost]

[At 5:08 p.m. the House adjourned to Thursday at 2:30 p.m.]

